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Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation Document

Consultation on the Information for Tenants Document

Subtitle – Consultation on the ‘Information for Tenants of Social
Landlords’ document

Date of issue: 19 July 2017

Action required: Responses by 13 September 2017

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Overview This consultation is to gather views on the draft 'Information for Tenants of Social Landlords' document, which social landlords will issue to all relevant tenants if the Abolition of the Right to Buy and Associated Rights (Wales) Bill is passed by the National Assembly for Wales.

How to respond Please [respond online](#)

or complete the [response form](#) and email to BillDiddymurHawliBrynu.AbolitionofRighttoBuyBill@wales.gsi.gov.uk

Hard copies can be sent to
Bill Team - Abolition of the Right to Buy and Associated Rights
(Wales) Bill
Housing Policy
Welsh Government
Rhydycar Business Park
Merthyr Tydfil
CF48 1UZ

Further information and related documents **Large print, Braille and alternative language versions of this document are available on request.**

More details about the Bill can be found on the Welsh Government website:

<http://gov.wales/topics/housing-and-regeneration/legislation/abolition-of-right-to-buy-and-associated-rights/?lang=en>

Information on the progress of the Bill can be found on the National Assembly's website:

<http://www.senedd.assembly.wales/mglIssueHistoryHome.aspx?Ild=17260>

Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Introduction

The Abolition of the Right to Buy and Associated Rights (Wales) Bill will end the Right to Buy, Preserved Right to Buy and Right to Acquire for tenants of local authorities and registered social landlords if the Bill is passed by the National Assembly for Wales.

Social housing in Wales is a valuable resource, but it is under considerable pressure. The size of social housing stock has declined significantly since 1980 when the Right to Buy was introduced. The number of homes lost through the Right to Buy is equivalent to 45% of the social housing stock in 1981. This has resulted in longer waiting times for people in housing need, many of whom are vulnerable, to access a home they can afford.

To encourage the development of new housing stock, the Right to Buy and Right to Acquire will end for new homes two months after Royal Assent.

For existing housing stock, final abolition will take place at least one year after the Bill receives Royal Assent.

Information for Tenants of Social Landlords document

To ensure tenants are aware that the Right to Buy is ending, the Bill requires the Welsh Government to publish information, which will assist tenants and prospective tenants to understand the effect of the legislation.

The information must include the date on which the Right to Buy and the Right to Acquire will end in respect of both newly-let properties and all other social housing.

The information may also include any other information which the Welsh Government considers would assist tenants and prospective tenants to understand the changes.

Every qualifying landlord must provide all affected tenants with a copy of the information provided by the Welsh Government, or with any of the information they consider to be relevant to their tenants.

Consultation

A sample document has been produced to illustrate the type of information which could be published by the Welsh Government and may be issued to tenants by their social landlord if the Bill to abolish the Right to Buy and Right to Acquire is passed by the National Assembly for Wales. We would welcome your views on the draft information document. [Annex 1]

**Consultation
Response Form**

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

The ‘Information for Tenants of Social Landlords’ Document

Question 1. *Right to Buy and Right to Acquire – “Summary” and “The Basics”* (see page 2 of the Information document). Do these sections clearly summarise the Right to Buy and the Right to Acquire?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Please include any further comments – such as should more or less information be included – is the language used clear etc

Question 2. *“The end of the Right to Buy and Right to Acquire” / “Suspended Areas” / “Early Abolition on new homes”* (see pages 2 & 3 of the Information document). Do these sections explain clearly when the Right to Buy and Right to Acquire will end, including the position in suspended areas and abolition on new homes?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Any further comments:

Question 3. “Other Ways to Buy a Home” (see page 3 of the Information document). Is the link to other home ownership options helpful?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Any further comments:

Question 4. “Financial and Legal Advice” (see page 4). Does this section explain clearly the financial and legal advice you should consider obtaining before deciding whether to exercise the Right to Buy or Right to Acquire?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Any further comments:

Question 5. “Further Information” (see page 4). Does this section provide enough detail and links to access further information?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Any further comments:

Question 6. Flow chart. (see page 5). Is the flow chart helpful in explaining who has the Right to Buy, Preserved Right to Buy and Right to Acquire?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Any further comments:

Question 7. Do you have any suggestions on how landlords can communicate the information in the most appropriate and accessible ways to meet the varying needs of tenants?

Suggestions

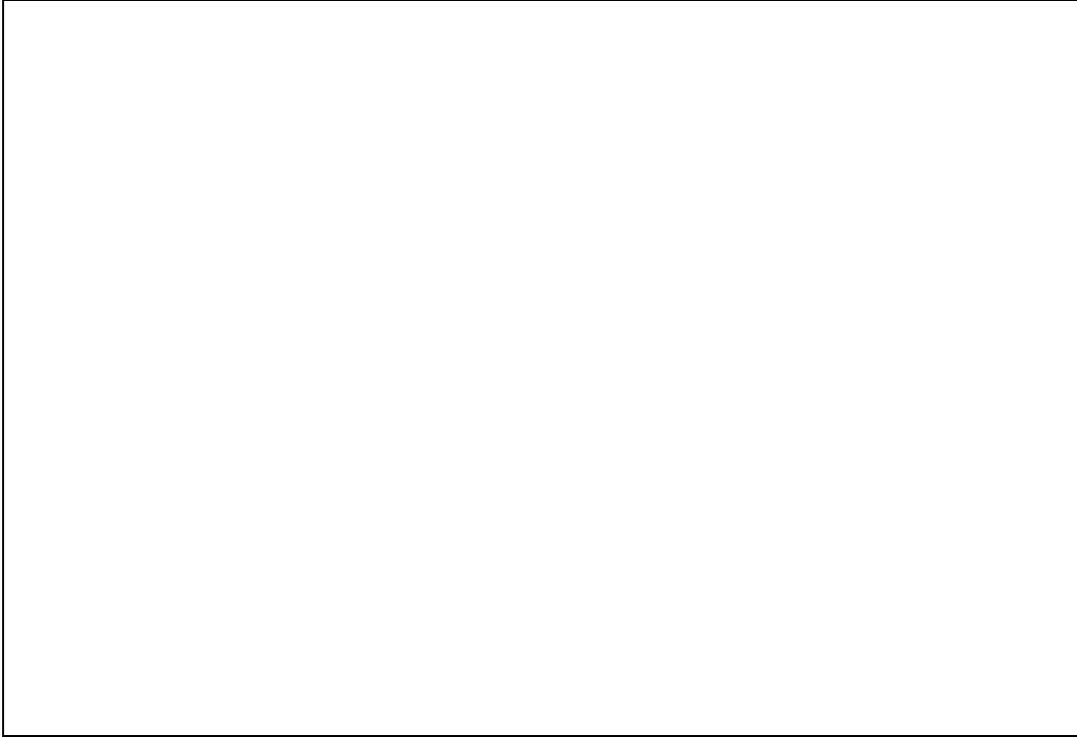
Question 8. Do you have any other comments? Is the document too long / short? What information should be added / removed? Is the document easy to understand? Is it written in plain English?

Please add any further comments

Question 9. Welsh Language Impact. While this consultation paper is being made available in Welsh, please can you suggest how the proposed 'Information for Tenants of Social Landlords' document could be formulated or changed so as to have

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Question 10. If you have any related issues which we have not specifically addressed, please use this space to report them:

A large, empty rectangular box with a thin black border, intended for the user to report any related issues not specifically addressed in the document.

INFORMATION ABOUT THE END OF THE RIGHT TO BUY AND RIGHT TO ACQUIRE

Information for Tenants of Social Landlords

Note

This document is being sent to you for information only.
It explains that the Right to Buy and Right to Acquire is ending for all tenants of social landlords on [insert date of abolition]
You do not have to take any action in response to this document.

Note: This sample has been produced simply to illustrate the type of information which could be issued to tenants by their social landlord if the Bill to abolish the Right to Buy and Right to Acquire is passed by the National Assembly for Wales. It has been produced to inform stakeholders on how such a change would be communicated to tenants. The production of this draft guide does not in any way presume the outcome of the Bill's passage through the Assembly.

SUMMARY

- The Right to Buy and Right to Acquire will end for all tenants of social landlords on **[insert date of abolition]**
- This guide explains what you need to know about the end of the Right to Buy and Right to Acquire and what you should do if you are thinking about buying your local authority (council) or housing association home.
- If you live in an area in which the Right to Buy and Right to Acquire has been suspended, you will not be able to buy your home under these schemes.
- This guide does not give legal advice, which you should seek separately if you want to buy your home.

Right to Buy and Right to Acquire - The Basics

If your landlord is a local authority, you may have the **Right to Buy**. The Right to Buy allows eligible secure tenants of local authorities to buy their home at a discount to the market value. The maximum discount available is £8,000.

If your landlord is a Registered Social Landlord, referred to in this guide as a “housing association”, you may have the **Right to Acquire**. The Right to Acquire enables eligible assured and secure tenants of housing associations the right to buy their home at a discount to market value. The maximum discount available is £8,000. The Right to Acquire does not apply in certain designated rural areas.

If your home used to be owned by the local authority but was transferred to another landlord, such as a housing association, while you were living in it, you may have the **Preserved Right to Buy**. This is very similar to the Right to Buy and the maximum discount available is also £8,000.

Before you start thinking about buying your home, you need to find out whether you are eligible to do so. In order to qualify for any of the above discounts you must have rented your home from a public sector landlord for example. a local authority, a housing association, NHS Trust) for 5 years. But it doesn't have to be 5 years in a row.

Further information on the eligibility requirements is available in the links at the end of this document, or from your landlord.

The end of the Right to Buy and Right to Acquire

The Right to Buy, Right to Acquire and Preserved Right to Buy are ending for all tenants in Wales on **[insert date of abolition]**. This is part of the Abolition of the Right to Buy and Associated Rights (Wales) Act 20**[XX]**.

If you are able to exercise a right to buy your home, you can submit your application up to **[insert date of abolition]** and it will be considered in the usual way. Any application made after this date will not be accepted.

If you are applying close to **[insert date of abolition]**, you may wish to send your application to your landlord by recorded delivery to ensure the date it is received is noted or deliver it personally to your landlord's office to ensure it arrives by the deadline date. If you deliver it in person, you may wish to request a receipt to show the date it was received by your landlord.

You must take care to make sure that all the details on your application form are correct. If not, then your application may be turned down. With this in mind, it is better not to leave your application too late. You will want to allow as much time as possible to resolve any issues that may arise.

If you have arrears of rent or council tax when you apply to buy your home, your landlord can refuse to sell it to you. You should check that all your payments are up to date in case this causes a problem.

If there is anything you don't understand about the application form, or you are not sure what information you have to provide, your landlord will be able to help.

The end of the Right to Buy and Right to Acquire will not affect your tenancy in any other way.

Suspended Areas

In Anglesey, Carmarthen, Denbighshire, Flintshire and Swansea, the Right to Buy and Right to Acquire have been suspended. If you live in one of these areas you will not be able to buy your home under these schemes. Your landlord will be able to give you more information if you live in one of these areas.

Early abolition on new homes only

The Right to Buy, Right to Acquire and Preserved Right to Buy will end for "new homes" only on **[insert date 2 months after Royal Assent]**. A "new home" is one which has not been let as social housing for the six months before **[insert date 2 months after Royal Assent]**, for example a new build property, or a home that has been recently acquired by the landlord.

There are certain exceptions if you are forced to move into a “new home”. Ask your landlord for further information if you are in this situation.

Other Ways to Buy a Home

Other means of assistance to help you buy a home may be available. Talk to your landlord or visit the Welsh Government’s website <http://gov.wales/topics/housing-and-regeneration/housing-supply/buying-and-selling/help-for-buying/?lang=en> for further information.

Financial and Legal Advice

Buying a home is a big commitment. Home ownership has costs as well as benefits. The costs include: the price of the home (after the appropriate discount), legal costs, survey fees, and possibly some taxes, for example Stamp Duty/Land Transactions Tax. After buying, there will be monthly payments for council tax and a mortgage (if you have one) as well as other on-going costs, which are currently included in your rent, for example repairs, maintenance and buildings insurance. As the homeowner, you will have to pay for these. Remember, too, mortgage interest rates could increase at some point.

It is important to get professional advice, for example, on financial matters. You should also consider taking legal advice. Organisations such as your local Citizens Advice Bureau may be able to explain how best to go about it. This is particularly important if you have been approached by someone offering to help you buy your home (perhaps in exchange for handing over ownership of the home to that person at a later date) or offering advice in return for a fee.

Further information

The guidance booklet 'Your Right to Buy Your Home - a guide for tenants of social landlords in Wales' is published by the Welsh Government. It gives general information on the Right to Buy rules and how to apply. It can be found here:

<http://gov.wales/docs/desh/publications/150801-your-right-to-buy-your-home-en.pdf>

The Welsh Government’s guidance booklet on the Right to Acquire can be found here:

<http://gov.wales/docs/desh/publications/170203-the-right-to-acquire-en.pdf>

If you want general information about the Right to Buy, Right to Acquire or Preserved Right to Buy you can contact the Welsh Government by email at righttobuy@wales.gsi.gov.uk or you can telephone on [insert phone number].

If you want more specific information about buying your own home, you should contact your landlord.

Your landlord will be able to give you a Right to Buy application form, or you can download it here:

<http://gov.wales/docs/desh/publications/150122-notice-claiming-right-to-buy-en.pdf>

[insert link to Right to Acquire application form]

If you would like hard copies of any of these documents, please contact the Welsh Government at **[righttobuy@wales.gsi.gov.uk and insert office address]** or call **[insert phone number]**.

DRAFT

Are you a tenant with the Right to Buy, Preserved Right to Buy or Right to Acquire your home?

The chart below gives an overview for tenants on the availability of the Right to Buy (RTB), Preserved Right to Buy (PRTB), or Right to Acquire (RTA) if the “Abolition of the Right to Buy and Associated Rights (Wales) Bill” is passed by the National Assembly for Wales.

Start here

